

**REMARKS**

1. An amended set of claims is presented in the application. Claims 1, 8-10, 16, 17, 21, 28-32, 38, 39, 43, 47-50, and 54-57 have been amended. Claims 3, 18, 23, 40, 45, 52, and 59-62. Support for the amendments can be found, for example, at page 12, line 26 through page 13, line 8 of the application as filed. No new matter has been added.

2. In the Final Action of August 5, 2005 the Examiner rejects claims 1-17, 19-39, and 41-62. In particular, the Examiner rejects claims 1, 21, 43 and 50 under 35 USC 103(a) as being unpatentable to U.S. Pat. No. 5,600,368 to Matthews, in view of U.S. Pat. No. 6,233,428 to Fryer and U.S. Pat. No. 5,170,252 to Gear. The Examiner also rejects claims 2-4, 9, 20, 22-24, 42, 44-46, 48 and 51-53 under 35 USC 103(a) as being unpatentable over Matthews, Fryer and Gear. Further, the Examiner rejects claims 5-8, 25-28, 47 and 54 under 35 USC 103(a) as being unpatentable over Matthews, in view of Fryer and Gear. Still further, the Examiner rejects claims 10, 32, 49 and 57 under 35 USC 103(a) as being unpatentable over Matthews, in view of Fryer and Gear, further in view of U.S. Pat. No. 5,706,054 to Hannah. Moreover, the Examiner rejects claims 11-12 and 33-34 under 35 USC 103(a) as being unpatentable over Matthews, in view of Fryer and Gear, further in view of U.S. Pat. No. 6,757,305 to Soepenbergh. The Examiner also rejects claims 13, 35 and 58 under 35 USC 103(a) as being unpatentable over Matthews, in view of Fryer, Gear and Soepenbergh. The Examiner also rejects claims 14 and 36 under 35 USC 103(a) as being unpatentable over Matthews in view of Fryer, Gear and Soepenbergh, further in view of U.S. Pat. No. 5,649,105 to Aldred. The Examiner also rejects claims 15 and 37 under 35 USC 103(a) as being unpatentable over Matthews, in view of Fryer and Gear, further in view of U.S. Pat. No. 6,208,335 to Gordon and U.S. Pat. No. 5,613,122 to Burnard. The Examiner also rejects claims 16-17 and 38-39 under 35 USC 103(a) as being unpatentable over Matthews, in view of Fryer and Gear, further in view of U.S. Pat. No. 6,510,553 to Hazra. Further, the Examiner rejects

claims 19 and 41 under 35 USC 103(a) as being unpatentable over Matthews, in view of Fryer and Gear, further in view of Kunda/McCanta. The Examiner also rejects claim 29 under 35 USC 103(a) as being unpatentable over Matthews, in view of Fryer and Gear, further in view of U.S. Pat. No. 5,410,698 to Danneels. The Examiner further rejects claims 30-31 under 35 USC 103(a) as being unpatentable over Matthews, in view of Fryer, Gear and Danneels. The Examiner also rejects claims 55-56 under 35 USC 103(a) as being unpatentable over Matthews, in view of Fryer and Gear, further in view of Danneels. Finally, the Examiner rejects claims 59-62 under 35 USC 103(a) as being unpatentable over Matthews, in view of Fryer and Gear, further in view of Official Notice.

3. The Applicants have amended the claims (see, in particular, main claims 1, 21, 43 and 50) and submit that the amendments overcome the above rejections of the Examiner, also in view of the following remarks.

4. As a general observation, the Applicants would like to note that Matthews applies to a broadcasting environment, while the subject matter of claim 1 applies to an environment where each user is being sent a separate stream from a streaming server. In particular, **separate** sessions are established with a plurality of users.

The Applicants have highlighted this kind of application in the main claims, by using terms such as "*streaming . . . over a network*," "*audio file*," "*video file*," "*audio file . . . interleaved with the . . . video file*," "*the streaming server establishing separate sessions with the plurality of users by sending each user a separate stream*" and so on. Support for the amendments to the independent claims 1, 21, 43, and 50 can be found throughout the specification, see in particular page 12, line 26 through page 13, line 8 of the application as filed.

5. The Applicants also note that an environment where separate sessions are established with a plurality of users is not a straightforward adaptation of a broadcasting environment like the one described in Matthews, where one single signal is transmitted to a plurality of users, as typical in the broadcasting model.

6. The Applicants further note that switching between audio files or between video files in such prior art environment is different from the switching claimed in the main claims of the present application. In the 'Summary of the Invention' section of Matthews (column 2, lines 1-14) use of a primary channel and multiple virtual channels is disclosed when dealing with multiple camera viewpoints. While this may not be recognized as a problem in the broadcasting environment of Matthews, it is an important issue in a streaming environment over networks such as the Internet. Such issue is dealt with extensively in the 'Prior Art' section of the present application (page 1, line 11 through page 3, line 12). In other words, adaptation of Matthews to a network streaming environment would bring to a structure like the one shown in Figure 1 (Prior Art) of the present application where separate streams are provided for separate points of view, thus requiring a bandwidth directly proportional to the product between the number of cameras and the number of concurrent users.

In other words, assuming Matthew's primary channel and virtual channels in a webcasting context, switching among those channels would not cause the streaming server to stream a signal with a second video file (different from the first video file) interleaved with the same audio file (as claimed in claim 1), to the contrary it would cause the user to 'jump' on an already present stream (as shown in Figure 1, where the connections 3 show three different streams, each with its own audio files and video files) or alternatively to have a different session established (as discussed between page 2, line 25 and page 3, line 12 of the present application), also in this case with different video and audio files transmitted to the user. Furthermore, use of techniques not adapted to management of audio and video files (such as key frame technology, for example) would make the switching impossible. Similar considerations apply in the context of claim 21, where switching of audio files occurs by interleaving the new audio file with the same video file interleaved with the previous audio file. The same can be said for the remaining independent claims 43 and 50.

7. Therefore, in view of the above, the Applicants submit that the claims as amended are patentable over the art cited by the Examiner. In addition, the following comments are offered, to address the Examiner's arguments in the Final Action dated August 5, 2005.

In section 22 of the Action, the Examiner states that element 120 in Matthews represents a streaming server. Further, in section 23 of the Action, the Examiner states that Matthews also discloses a feed distributor, namely element 74 of Figure 4 (as disclosed at lines 17-46 of column 5 in Matthews). However, Figure 4 of Matthews relates to an embodiment which is different from the embodiment where element 120 is shown. Moreover, at the end of section 24 of the Action, the Examiner states that "changing video signals without altering the audio signal is very well known in the art and has been accomplished, most notably, whilst switching camera angles at a live sport event." The Examiner is respectfully invited to look at the amended language of the independent claims of the present application. The Applicants submit that the claimed combination of features is patentable over Gear, when combined with Matthews and Fryer.

\* \* \* \* \*

In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees, which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat

this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

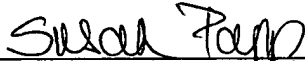
I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, POB 1450, Alexandria, VA 22313-1450 on

February 2, 2006

(Date of Transmission)

Susan Papp

(Name of Person Transmitting)

  
(Signature)

02/02/06  
(Date)

Respectfully submitted,



Alessandro Steinfl  
Attorney for Applicants  
Reg. No. 56, 448  
LADAS & PARRY  
5670 Wilshire Boulevard,  
Suite 2100  
Los Angeles, California 90036  
(323) 934-2300 voice  
(323) 934-0202 facsimile  
asteinfl@ladas.com

Encl.: Request for Continued Examination

RCE Fee for \$395

Petition for Extension of Time for 3 months

Fee for \$510.00

Postcard